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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER

MOSLEHI, FARHOOD

ART UNIT PAPER NUMBER

2154

DATE MAILED: 03/31/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

5

Office Action Summary

Application No.

09/867,454

Applicant(s)

LEUNG, KWOK-YAN

Examiner

Farhood Moslehi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 2-3-2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-11 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Haff et al. (6,219,669) (hereinafter Haff).
4. As per claim 1, Haff teaches a socket tool for connection and communication of application layer software coded codes, executed in a computer and arranged to be called by application layer software to enable the application layer software to connect and communicate with application layer software of another computer under regulations of the Transmission Control Protocol (TCP), wherein the socket tool comprises a set of socket control codes for a TCP network connection based on the Transmission Control Protocol, said socket codes including both a data transfer control code related to the application layer software and file transfer control codes, said socket codes further including control codes for indicating both data and file transfer progress (e.g. Abstract ,col. 5, lines 1-18, Figure 23).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haff in view of Sharma et al. (5,537,417) (hereinafter Sharma).

7. As per claim 2, Haff does not specifically teach the socket tool comprising a set of value-incremental codes for dealing with data to be transmitted by the application layer software (e.g. col. 4, lines 1-14). Sharma teaches about a socket tool comprising a set of value-incremental codes for dealing with data to be transmitted by the application layer software (e.g. col. 4, lines 1-14). It would have been obvious to one of ordinary skill at the time the invention was made to combine Haff and Sharma. The motivation would have been to write codes on the application layer to transfer data.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haff in view of W. Richard Stevens (Unix Network Programming, Prentice Hall, 1998, Sections 4.2-4.9, 11.2-11.9) (hereinafter Stevens).

9. As per claim 3, Haff does not specifically discuss a socket tool wherein the set of socket control codes comprises at least a "SAccept" code, a "SClose" code, a "SConnect" code, a "SGetData" code, a "SListen" code, a "SSendData" code, a "SGetfileName" code, a "SSendFile" code, a "SConnectionRequest" code, a

"SDataArrival" code, a "SError" code, a SSendcomplete" code, a "SFileArrival" code, and a "ConnectionTimeOut" code. Stevens teaches a socket tool wherein the set of socket control codes comprises at least a "SAccept" code, a "SClose" code, a "SConnect" code, a "SGetData" code, a "SListen" code, a "SSendData" code, a "SGetfileName" code, a "SSendFile" code, a "SConnectionRequest" code, a "SDataArrival" code, a "SError" code, a SSendcomplete" code, a "SFileArrival" code, and a "ConnectionTimeOut" code (e.g. Sections 4.2-4.9, 11.2-11.9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Stevens in order to add code on top of standard Berkley Socket function to achieve additional functionalities.

10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haff in view of Sharma and in further view of Friedland et al. (6,449,601) (hereinafter Friedland).

11. As per claim 4, Haff in combination with Sharma do not specifically teach a socket tool wherein the set of value-incremental codes includes at least an encryption code and a decryption code. Friedland teaches a socket tool wherein the set of value-incremental codes includes at least an encryption code and a decryption code (e.g. col. 16, lines 37-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Friedland in order to add encryption and decryption module codes to the system for security purposes.

12. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haff in view of Sharma and in further view of Edelson et al. (6,504,926).

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13. As per claim 5, Haff in combination with Sharma do not specifically teach a socket tool wherein the set of value-incremental codes includes at least a compression code and a decompression code. Edelson teaches a socket tool wherein the set of value-incremental codes includes at least a compression code and a decompression code (e.g. col. 3, lines 5-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Edelson in order to include data compression and decompression in the system so that there would be a decrease in the usage of system and network resources.

14. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haff in view of Kelts (US 2002/0112237).

15. As per claim 6, Haff does not specifically teach a socket tool wherein the application layer software is SQL database software. Kelts shows a SQL application running on a TCP socket supported environment (e.g. page 10, paragraph 106, lines 5-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts to provide for an RDBMS application to be run on the application layer of the system for record and data storage purposes.

16. As per claim 7, Haff does not specifically teach a socket tool wherein the application layer software is an application software for downloading software. Kelts shows a socket tool wherein the application layer software is an application software for downloading software (e.g. page 15, paragraph 146, lines 1-9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts in order to provide for a downloading application program for the

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purpose of file transfer and sharing automatically without manual interference by the user.

17. As per claim 8, Haff does not specifically teach a socket tool wherein a downloaded file is a MP3 song file, a GIF format picture file, a JPG format picture file, or a moving picture format file. Kelts shows a socket tool wherein a downloaded file is a MP3 song file, a GIF format picture file, a JPG format picture file, or a moving picture format file (e.g. page 20, paragraph 193, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts in order to provide for an MP3 or additional file formats mentioned above to be downloaded.

18. As per claim 9, Haff does not specifically show a socket tool wherein the application layer software is a chat application software. Kelts shows a socket tool wherein the application layer software is a chat application software (e.g. page 5, paragraph 64, lines 20-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts in order to provide for a chat application software to function in the application layer so that interactive communications and standard chat rooms can be established on the system.

19. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haff in view of Maritzen et al. (5,899,990) (hereinafter Maritzen).

20. As per claim 10, Haff does not specifically teach the socket tool wherein said data transfer control code related to the application layer software includes an "SGetData" code for transferring back a designated string obtained by executing a SQL

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instruction to a database. Maritzen teaches the socket tool wherein said data transfer control code related to the application layer software includes an "SGetData" code for transferring back a designated string obtained by executing a SQL instruction to a database (e.g. col. 8, lines 22-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Haff and Maritzen. The motivation would have been for socket commands to be executed via SQL statements.

21. As per claim 11, Haff does not specifically teach the socket tool, wherein said data transfer control code related to the application layer software includes an "SSendData" code for uploading a length and parameter of an SQL instruction string from a client computer to a server computer (e.g. col. 8, lines 46-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Haff and Maritzen. The motivation would have been for communication of the SQL statements from the client to the server.

22. Applicants arguments filed 1-30-2004, not rendered moot in view of the new grounds of rejection necessitated by applicant's amendment, have been considered but are not persuasive.

23. In the remarks, applicants argued in substance that (1) Edelson does not disclose or suggest inclusion of compression/decompression control codes in the socket layer.

24. As to point (1) Edelson discusses the compressed audio data packets being presented to the IP layer within the TCP/IP stack (e.g. col. 3, lines 14-20).

25. In the remarks, applicants argued in substance that (2) there is no suggestion in kelts of modifying the socket to include an SQL specific request, with SQL parameters included in the request, or to further modify by the socket by adding direct file transfer codes.

26. As to point (2) Kelts discusses the map generator that receives the decoded data from decoder and interrogates application databases and or map databases to generate a suitable map (e.g. col. 13, paragraph 130). Kelts discusses the process of obtaining information from the databases (e.g. col. 26, paragraph 245).

Conclusion

27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fm



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100